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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 22/09/2022

PRESENT

The Hon`ble Mr.Justice A.A.NAKKIRAN

CRL OP(MD) . No.17014 of 2022

Pandiselvam

... Petitioner/Accused-1

Vs

State rep.by
The Inspector of Police,
All Women Police Station,
Samayanallur Police Station,
Madurai District.
(Crime No.15/2021).

... Respondent/Complainant

For Petitioner : M/s.Appadurai K, Advocate.

For Respondent : Mrs,M.Aasha,
Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.438 of Cr.P.C

PRAYER :-

For Anticipatory Bail in Crime No.15/2021 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner apprehending arrest at the hands of the respondent police for the offences punishable under sections 498(A), 406, 417, 294(b) and 506(i) IPC., in Crime No.15 of 2021 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the marriage between defacto complainant and the petitioner was performed on 09.09.2015. She already got divorce from the 1st husband. After the marriage, she lived with the petitioner for sometime and the petitioner was



working in the Central Government Railway Department. Since he was in Chennai, he used to come to the house once in a week or once in a month. On 07.03.2020, she was committed to undergo family planning operation and on 15.04.2020, an anonymous call came to her stating that the petitioner is insulting and abused her and on enquiry, the petitioner behaved indifferent. Later, she came to know that the petitioner is indulging in illegal activity, since he has obtained money from various persons, promising to secure jobs and when that was intimated to the in-laws, they were criminally intimidated her. Another marriage also going to be arranged for the petitioner. So, on the basis of the aforesaid complaint, the case has been registered.

3. The learned counsel appearing for the petitioner submitted that the petitioner is working in the Southern Railway Department at Chennai, but the allegation levelled against the petitioner is at Madurai and hence, there is no possibility for harassing the defacto complainant. He would further submit that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution and his name has been falsely implicated in this case.

4. The learned Government Advocate (Crl. Side) appearing for the respondent police would submit that it is a second anticipatory bail petition and the earlier petition filed him in Crl.O.P(MD). No.14979 of 2021 was not pressed by him. He would further submit that petitioner is having illegal intimacy with another lady and he has tortured the de facto complainant both mentally and cruelly by compelling her for family planning operation and he strongly opposed to grant anticipatory bail to the petitioner.

5. Considering the submission made by the learned Government Advocate (Crl. Side) appearing for the respondent and that the petitioner has committed serious nature of offence, this Court is not inclined to grant anticipatory bail to the petitioner. Accordingly, this Criminal Original Petition is dismissed.

Sd/-
22/09/2022

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/10/2022
Sub-Assistant Registrar (C.S.I)
Madurai Bench of Madras High Court,
Madurai - 625 023.



1. THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
SAMAYANALLUR POLICE STATION,
MADURAI DISTRICT.
2. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN
CRL OP (MD) No.17014 of 2022
Date :22/09/2022

SP/GB/SAR I/13/10/2022/3P/3C